

## **REMARKS**

In the Office Action, the Examiner rejected claims 1-27 under judicially created doctrine of obviousness-type double patenting, 35 USC 102 and 35 USC 103. The rejections are fully traversed below.

Claims 28-32 have been added. Thus, claims 1-32 are pending in the application. Reconsideration of the application is respectfully requested based on the following remarks.

### ***DOUBLE PATENTING***

**Claims 1-27 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-36 of copending Application No. 09796641.**

A terminal disclaimer has been filed herewith to overcome the provisional rejection.

**Claims 1-27 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-36 of copending Application No. 09731934.**

A terminal disclaimer has been filed herewith to overcome the provisional rejection.

**Claims 1-27 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-67 of U.S. Patent No. 6,281,655.**

See arguments below.

***ISSUES UNDER 35 USC 102 (e) and 103(a)***

**Claims 1-27 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,281,655 to *Poon*.**

**Claims 1-27 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,281,655 to *Poon*.**

In contrast to *Poon*, claims 1 and 25 (and their dependents) specifically require, "...the translation structure surrounding the guide beam..." Accordingly, the rejection is unsupported by the art and should be withdrawn.

Also in contrast to *Poon*, claim 11 (and its dependents) specifically requires, "...the first guide beam including a first vacuum chamber and a second vacuum chamber..." Accordingly, the rejection is unsupported by the art and should be withdrawn.

Although the rejections to the dependent claims should be withdrawn for at least the reasons as above with regards to the independent claims, it should be noted that they offer additional language that is unsupported by the art. For example:

In contrast to *Poon*, claim 9 specifically requires, "...the guide beam includes four contact sides..." Accordingly, the rejection is unsupported by the art and should be withdrawn.

**SUMMARY**

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read "Hoellwarth", with a stylized initial "Q" or "H" at the beginning.

Quin C. Hoellwarth  
Reg. No. 45,738

P.O. Box 778  
Berkeley, CA 94704-0778  
(650) 961-8300